DOCUMENT RESUME

ED 295 422 FL 016 596

AUTHOR Reyes-Cairo, Orlando M.
TITLE Teaching Hispanic Culture to Criminal Justice Personnel.
PUB DATE Apr 86
NOTE 12p.; In: Proceedings of the Fifth Annual Eastern Michigan University Conference on Languages for Business and the Professions (see FL 016 586).
PUB TYPE Reports - Descriptive (141) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Alcoholism; Comparative Analysis; *Correctional Institutions; *Cultural Awareness; Culture Conflict; Drug Abuse; Family Relationship; Health Services; Higher Education; *Hispanic American Culture; *Institutional Personnel; *Languages for Special Purposes; Paralinguistics; Probation Officers; Professional Training; Second Language Instruction; Spanish Speaking; Workshops

ABSTRACT

A course in comparative Hispanic/American culture was developed for a criminal justice training center to provide exposure to Hispanic cultural norms to local criminal justice workers. The participants included employees in the fields of adult probation, health care, and alcohol and drug programs. Hispanic participants provided a valuable perspective and anecdotal reinforcement, from their own experiences, of the materials presented. The series of workshops took an anthropological view of culture and focused on current cultural patterns that would be significant for individuals dealing with Hispanics in everyday situations. Topics of discussion included ethnicity, religion, family relationships, machismo and the female role, time consciousness, attitudes toward the law, philosophy of life, personal space, and physical contact. Comparison between Hispanic and Anglo cultural patterns were encouraged. Course attendance and active participation were found to be very good, participant evaluations were very positive, and the participants often asked to discuss situations of current interest to them at work. (MSE)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED295422

TEACHING HISPANIC CULTURE TO CRIMINAL JUSTICE PERSONNEL

Dr. Orlando M. Reyes-Cairo
Associate Professor of Spanish

Department of Foreign Languages
The University of Toledo
2801 W. Bancroft Street
Toledo, Ohio 43606 U.S.A.

(419) 474-3125

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

G Voght

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

✓ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

FL016596

TEACHING HISPANIC CULTURE TO CRIMINAL JUSTICE PERSONNEL

The existence of a significant ethnic population in some areas of the United States poses a peculiar problem for personnel working within the Criminal Justice System. Cultural differences result in the need for new approaches to law enforcement, drug and alcohol rehabilitation, and other related areas. Very often personnel operating in these areas find themselves blocked in their efforts by their inability to establish effective communication with those with whom they work because of a lack of understanding of their values and motivation, created by cultural differences of which they are often not aware. A great deal of frustration and wasted effort and resources often result. If this situation is frustrating for those operating, as it were, on their own turf, one can imagine its effect on the individual alien to American ways. A dramatic example of the problems involved in the legal setting because of cultural differences is the case reported in the Toledo Blade October 13, 1985, under the headline "Courtroom Culture Shock Increases." It is the story of Fumiko Kimura, a Japanese immigrant who tried to commit parent-child suicide by walking into the sea with her two children, both of whom drowned, while she survived. Parent-child suicide, according to the article, is a common occurrence in Japan, where, although illegal, it rarely leads to prosecution of a surviving parent. Mrs. Kimura is charged with first degree

murder, and, if convicted, faces a possible death sentence. Many people have sent letters or made phone calls urging that her cultural background be considered, while prosecuting attorneys argue that a cultural defense does not exist in the United States. However, some courts have accepted this defense. In another case involving a Hmong mountain tribesman who was recently tried for kidnapping and rape in Fresno, California, defense attorneys argued that he had simply followed Hmong tradition in choosing a Hmong woman for his bride and taking her to Los Angeles. It was adduced that the woman's parents had filed charges because of dissatisfaction with the fact that the tribesman had not paid the right price for her. The case was resolved when the judge ordered the man to pay $1,000 to the woman's family. In still another case, a Laotian man quarrelled with a friend and cut him with a knife. The assailant was charged with assault with a deadly weapon. Yet soon the two families had made up and the offender was planning a traditional forgiveness feast. The families were anxious for the authorities to forget the whole affair, as they had. The man went free.

There are, of course, grave concerns that the cultural defense may be abused. In the case of a Thai man in Los Angeles who allegedly shot at four Laotians, one of whom sat with the sole of his feet bared toward him while he sang in a nightclub, killing one and injuring another, the feeling at the time of the trial was that, although the gesture is

admittedly considered offensive by some Asians, it hardly justified homicide.

Culture shock has a particularly important effect in the case of the less sophisticated, unaccustomed to dealing with other modalities of life. Its result very often is that of withdrawal, with the often inevitable recourse to escaping mechanisms, such as drug and alcohol, or to criminal activities in the face of the inability to find honest work and the financial demands caused by an unbening climate and an acquisitive society where affluence is the standard touted from all directions and by the difference in attitude towards poverty which is part of our culture, where it is accepted that every individual has a right to a certain standard of living. Those individuals who were resigned to a life of meager means in their own country are now confronted with the concept of rights to a better way of life and the realities of an economy which does not support these rights for every individual. These contradictory terms lead to frustration with one's own situation and frequently to a decision to attain those rights by whatever means, and therefore to a life of crime.

Culture shock is aggravated by the pace of life in the United States. As is particularly the case with Hispanics, life moves much more leasurely in their countries, and the work ethic in the Unites States adds pressures of its own. American attitudes in this respect have been compared to

those of Hispanics by means of the antithesis contained in this dictum: " Americans seem to live in order to work while Hispanics seem to work in order to live." Furthermore, there is a considerable alienation in American society from the point of view of Hispanic customs, which include a great deal of socialization. Hispanics are extremely oriented toward leasurely conversation, while American society seems to value activities over verbal exchanges. A great deal of the amusement of a Hispanic in his own cultural setting is dependent upon those personal exchanges. Society is geared for this and the cultural environment provides sufficient opportunity and accommodations for it to take place. Strolling along certain streets or around central squares, frequent public dances, fairs, and even the market place are regular means of meeting friends and making new ones. The highly compartmentalized way of life in the United States adds to the sense of alienation on the part of the unassimilated Hispanic and leads further to the results already mentioned above.

It was because of awareness of these problems that the Criminal Justice Training and Education Center of Toledo, Ohio, first contacted me to discuss these matters. Toledo has a significant Hispanic population, as is the case with a number of nearby communities. In a great number of cases, individuals involved in legal offenses are totally unaware, or at least partially so, of the different cultural and

legal setting in the United States as compared to those of their own country of origin. In many cases, offenders have very little proficiency in the English language and deal primarily with other Hispanics, facts that prevent them from assimilating American culture. In their dealings with society, they have the same expectations that they have from their society of origin, where often the result of criminal offenses is determined by influential connections, and deviations from the law, especially in the case of minor offenses, are quite often tolerated, and indeed, at times even expected as a way of life.

Out of our conversations, it was decided to offer a series of four workshops at the Center, providing an overview of Hispanic culture and a contrastive analysis with American culture. Participants from different agencies within a five county area of Northwest Ohio attended the workshops. They consisted of workers in the fields of Adult Probation, Health Care and Alcohol and Drug Programs. Interestingly, some of the participants were of Hispanic extraction, which proved to be a great asset in that they were able to provide anecdotal reinforcement and confirmation of the material presented, from their own personal experiences.

The orientation of the workshops was toward the anthropological view of culture. Although a historical perspective and the achievements of Hispanic civilization

were presented, the emphasis was placed on current cultural patterns which would be significant for those dealing with Hispanics in everyday situations, where an understanding of their cultural motivations would help in their approach both to the individual and the circumstances of the case to which they were assigned. Such areas as ethnicity, religion, family relationships, machismo and the female role, time consciousness, attitudes toward the law, philosophy of life, personal space and physical contact were deemed of utmost importance in order to sensitize criminal justice personnel to possible differences in behavioral patterns, ways of thinking and attitudes to their own personal circumstances on the part of the individual or individuals with whom they were working.

Taking advantage of the presence of Hispanics in the workshops, comparisons were established between the views presented and those perceptions held by the Hispanic participants as well as with American cultural patterns in those areas, the latter to bring to the consciousness of all participants the nature of their own attitudes, inasmuch as there is a tendency on the part of those who have not analyzed their own ways of thinking and reacting to feel that there is an ultimate correctness in them, and that any deviation from their norms is aberrant and inherently wrong. This is, of course, one of the most significant causes of prejudice. Very often a person is unaware that the basis for his feelings and reactions in a given situation is

dependent on his cultural upbringing and not really on purely personal attitudes and opinions, that his reaction is a conditioned reflex and not subject to personal choice. A case in point is the doble sexual standard in existence in Hispanic culture, a spinoff of another cultural trait, the attitude of men toward women. Men are allowed almost complete freedom in sexual matters, while women are carefully protected against any sexual transgression. Hispanic attitudes in this matter closely parallel those of Arabic culture, to which society in Spain was exposed for nearly 800 years. Women are a possession of the man. This attitude is, naturally, masked by other relationships, such as those of the family, where father and brothers are the watchdogs of a woman's virtue, and therefore filial concerns are superimposed on this feeling of ownership. This is of course, most noticeable in the lower classes and in rural surroundings, becoming less so with the well-to-do and educated and in city life. Nevertheless, there is a feeling of dishonor in marrying a woman not reputed to be a virgin, and infidelity on the part of a married woman is a serious case that often leads to tragic circumstances. Here again the concept of honor is so powerful that a man often feels compelled to avenge himself through homicide. It is an interesting fact that the majority of crimes in the Hispanic world are crimes of passion.

An important aspect of Hispanic culture, generally neglected, is that of its ethnicity and the social and

economic relationships between the different races. There is a practice, fostered by government officials in this country who find themselves obliged to extend certain protections to the Hispanic, such as in hiring practices, education, etc., to create a racial category in most of their documentation that presents the term Hispanic as opposed to black, white, oriental, etc. This obliteration of racial differentiation has been encouraged by some Hispanics as a means of further protection against discrimination in this country. Among the Hispanics themselves, however, such distinctions remain important and are part of discriminatory feelings, which, although not as vicious as those encountered by some minorities elsewhere, are nevertheless in existence and exert significant influence, working in both directions, with those discriminated against because of race, education or social class at times employing a form of reverse discrimination in their attitude toward those of elite racial, educational or social background. In many instances those attitudes have been carried to this country and constitute a significant part of the internal dinamics of Hispanic groups. Those Hispanics of Indian and black ancestry are often suspicious of their caucasian counterparts, who enjoyed a more prominent advantage in their country of origin, dating back to the time of Spanish colonization, when the positions of prestige in the political as well as the economic life of the Hispanic countries was in the hands of the person born in Spain, and

not even the "criollo" descendant of Spanish nationals had many advantages in those areas, which was one of the main causes of the various movements toward independence. A light complexion and lightcolored eyes are still desirable features, and often a source of pride among the colored races in Hispanic countries.

Up to very recently, this country remained very aloof from the study of foreign languages. Recent awareness of its importance will certainly not bear fruit in a significant manner for a number of years to come. Much too often, people dealing with Hispanics in areas of great importance, such as health and law, are incapable of communicating directly with the person involved in these matters. I have been called upon innumerable times to serve as interpreter for depositions, court appearances, patients at hospitals, etc. Proper progress in those areas has been dependent upon the availability of too few qualified individuals, and their presence has interfered with the direct and natural relationship that leads to the trust so often critical between the parties involved. It is essential that personnel dealing with Hispanics be trained to communicate with the individuals involved in the individual's own language. It is certainly much more efficient and realistic than training all those individuals to communicate in English, however desirable this may be.

To further amplify on these matters, discussions were

held concerning the impact that these differences might have upon the participants' efforts to deal with Hispanics and to resolve conflicts arising from such cultural divergences. Here again, the participants opened up the storehouse of their experiences and shared them with the others. Where there had been failures, efforts were made to come up with approaches that might lead to success in similar future circumstances. Where positive results had been achieved in any specific case, the modus operandi was analyzed to detect possible generalizations or extensions to other cases. The format was kept rather informal and immediate attention was given to personal concerns related to topics under discussion.

Attendance to the workshops was very consistent, with almost all present at all of them, and involvement in the discussions was general. Many questions were raised concerning cases with which the participants were dealing at the time.

A formal evaluation was held at the end of the four workshops and the participants, without exception, indicated that they would strongly recommend this kind of training to others in their field and found it most helpful for their work.